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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,917	02/02/2001	Walter F. Perschbacher III	GRE38 P-301	8908

277 7590 07/07/2004

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EXAMINER

VIG, NARESH

ART UNIT PAPER NUMBER

3629

DATE MAILED: 07/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/775,917

Applicant(s)

PERSCHBACHER ET AL.

Examiner

Naresh Vig

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed 14 May 2001 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because

- Applicant has not filed legible copy of the information. Prior art disclosed by the applicant is in the form of a video cassette. Office does not have a Video Cassette Player to preview the video cassette.
- Applicant has not provided the date when the video cassette was made available by Sewata Systems. Office cannot determine whether the disclosed art is a prior art.

It has been placed in the application file, but the information referred to therein has not been considered as to the merits. See MPEP § 609.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

① Claims 1 – 5, 11 – 15 and 21 – 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janssen US Patent 5,754,850 in view of Mitcham US Patent 5,537,315, and further in view of Norris US Patent 5,870,721.

② Regarding claims 1 and 11, Janssen teaches system and method for providing real estate services, comprising:

③ Janssen does not teach a server for storing and providing access to real estate service information (information provided on the kiosk for communicating with the customer). However, Mitcham teaches a server for storing and providing access to information for communicating with the customer.

④ Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janssen as taught by Mitcham and store service information on a server to control change management to be displayed for communicating with the customers.

⑤ a real estate kiosk [Fig. 11] that includes a real estate computer system, the real estate computer system automatically providing real property information to a potential buyer based on the potential buyer's indicated preference [Fig. 6];

⑥ Janssen does not teach kiosk coupled to a server. However, Mitcham teaches kiosk coupled to a server [col. 4, Lines 4 – 6, Fig. 1].

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⑦ Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janssen as taught by Mitcham and couple the kiosk computer system to a server to be get the current information from the server.

⑧ Janssen does not teach an insurance kiosk that includes an insurance computer system that is coupled to the server, the insurance kiosk automatically providing insurance information to the potential buyer based on the potential buyer's indicated preference. However, Mitcham teaches providing an insurance kiosk that includes an insurance computer system coupled to the server [col. 4, Lines 4 – 6, Fig. 1], the insurance computer system automatically providing insurance information to the potential buyer based on the potential buyer's indicated preference [col. 4, lines 9 – 10].

⑨ Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janssen as taught by Mitcham to make the kiosk booth more attractable to customers by providing additional services to the customers (one stop shop).

⑩ Janssen in view of Mitcham does not teach a mortgage kiosk that includes a mortgage computer system that is coupled to the server, the mortgage kiosk automatically providing mortgage information to the potential buyer based on the potential buyer's indicated preference. However, Janssen teaches system and method for automatic processing of loan, including completion of the application, underwriting, and transferring funds [abstract]. Norris teaches system and method for providing a mortgage kiosk [Fig. 1] that includes a mortgage computer system that is coupled to the

server [Fig. 1], the mortgage kiosk automatically providing mortgage information to the potential buyer based on the potential buyer's indicated preference [abstract].

⑪ Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janssen in view of Mitcham as taught by Norris to make the kiosk booth more attractable to customers by providing additional services to the customers (one stop shop).

⑫ Janssen in view of Mitcham and Norris does not teach different types of kiosks in shopping mall (public place). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made that public place like an airport, highway rest areas, train stations have different types of kiosks for ATM services, hotel reservations, in flight insurance, e-ticketing etc.

⑬ Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janssen in view of Mitcham and Norris and provide different types of kiosks in a public place like a shopping mall to market services to customers with different needs.

Regarding claims 2 and 12, Janssen in view of Mitcham does not teach real estate, insurance and mortgage kiosks (collectively known as kiosks) are located at a retail shopping mall (shopping area). However, Norris teaches kiosks located at a retail shopping mall [col. 2, lines 61 – 65].

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janssen in view of Mitcham as taught by Mitcham and place the kiosks in shopping area to install the system at locations convenient to customers.

Regarding claims 3 and 13, Janssen in view of Mitcham and Norris does not teach real estate kiosk is located in a common area of the retail shopping mall. However, it would have obvious at the time of invention to one of ordinary skill in the art to locate the kiosk in a common area to have the maximum exposure of the kiosk to passing by customers (e.g. kiosks located in common passage in the mall).

Regarding claims 4 and 14, Janssen in view of Mitcham does not teach real estate, insurance and mortgage kiosks are located in a browsing area of a real estate store front (customer access area in stores selling goods). However, it would have obvious at the time of invention to one of ordinary skill in the art that store selling goods have browsing areas for customers to browse around in the store (e.g. walkway in the store). Norris teaches placing kiosk in stores selling goods (e.g. available space in customer access area in a store) [col. 2, lines 61 – 65]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify

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Janssen in view of Mitcham as taught by Norris to give maximum exposure of the kiosk to passing by customers.

Regarding claims 5 and 15, Janssen in view of Mitcham and Norris does not teach an Internet access computer system (e.g. router) that is coupled to the server and provides Internet access, wherein the Internet access computer system is provided in an Internet access area that is separate from the browsing area (router securely located in wiring closet). However, Norris teaches communication of the kiosk with the remote computer (server) [Fig. 1]. It would have been obvious to one of ordinary skill in the art at the time the invention was made that businesses have used internet to provide access to users at remote locations over the wide area network like the internet to save on implementation costs to provide modem access (as taught by Norris) for providing system access to remote users (e.g. intranet).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to Janssen in view of Mitcham and Norris and use internet as communication network to save on implementation costs for providing modem access (dial-up) to remote users, and use internet computer (router) to subnet the network at the shopping mall.

Regarding claim 21, Janssen teaches the computer systems of kiosks include:

a processing unit [Fig. 2, 250];

a storage unit coupled to the processing unit, the storage unit storing real estate service information [Fig. 2, 230];

an output unit coupled to the processing unit, the output unit providing appropriate real estate service information to the potential buyer [Fig. 2, 120]; and

an input unit coupled to the processing unit, the input unit receiving input from the potential buyer (Touch monitor is an output and input unit) [Fig. 2, 120].

Regarding claim 22, Janssen teaches a real estate service system for providing real estate services in a retail shopping mall. Janssen teaches:

a real estate kiosk [Fig. 11] that includes a real estate computer system, the real estate computer system automatically providing real property information to a potential buyer based on the potential buyer's indicated preference [Fig. 6];

Janssen does not teach kiosk coupled to a server. However, Mitcham teaches providing insurance kiosk. Mitcham teaches kiosk coupled to a server [col. 4, Lines 4 – 6, Fig. 1].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janssen as taught by Mitcham and couple the kiosk computer system to a server to be get the current information from the server.

Janssen in view of Mitcham does not teach providing mortgage kiosk. However, Norris teaches mortgage kiosk.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janssen in view of Mitcham as taught by Norris and provide a mortgage kiosk to customers to create a one-stop-shop environment for customers.

a processing unit [Fig. 2, 250];

a storage unit coupled to the processing unit, the storage unit storing the real estate service information [Fig. 2, 230];

an output unit coupled to the processing unit, the output unit providing the real estate service information that corresponds to the potential buyers indicated preference [Fig. 2, 120]; and

an input unit coupled to the processing unit, the input unit receiving the potential buyer's indicated preference (Touch monitor is an output and input unit) [Fig. 2, 120].

Janssen in view of Mitcham and Norris does not teach different types of kiosks in shopping mall (public place). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made that public place like an airport, highway rest areas, train stations have different types of kiosks for ATM services, hotel reservations, in flight insurance, e-ticketing etc.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janssen in view of Mitcham and Norris and provide different types of kiosks in a public place like a shopping mall to market services to customers with different needs.

Regarding claim 23, Janssen in view of Mitcham does not teach a smart phone, the smart phone connecting the potential buyer to another source of real estate service information (alternate user interface to get information). It would have been obvious to one of ordinary skill in the art at the time the invention was made that kiosks have phones for connecting customers to another source of information (for example, telephone connected to hotel booths in Highway rest areas, train stations etc. However, Norris teaches telephone interface for users to get information [claim 12]. Applicant discloses "As is well known to one of ordinary skill in the art, a smart phone is a dedicated phone that, when the handset is picked-up, dials a specific number and puts the user of the phone in contact with an individual and/or a computer system that provides another source of information." [0018].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janssen in view of Mitcham as taught by Norris and have a telephone at the kiosks to enable the user to contact the operator.

Regarding claim 24, Janssen teaches real estate service information includes real property information. Janssen in view of Mitcham teaches real estate service information includes insurance information, and, Janssen in view of Mitcham and Norris teaches real estate service information includes mortgage information.

Regarding claim 25, Janssen teaches monitor coupled to the computer system, wherein the monitor is arranged to display real property information corresponding to the potential buyer's indicated preference such that an individual passing by can view the real property information [Fig. 2, 120].

Regarding claim 26, Regarding claim 13, Janssen in view of Mitcham and Norris does not teach real estate kiosk is located in a common area of the retail shopping mall. However, it would have obvious at the time of invention to one of ordinary skill in the art to locate the kiosk in a common area to have the maximum exposure of the kiosk to passing by customers (e.g. kiosks located in common passage in the mall).

Regarding claim 27, Janssen teaches real estate computer system audibly provides at least a portion of the real property information [Fig. 1, 140].

Regarding claim 28, Janssen in view of Mitcham does not teach server is a remote server. However, Norris teaches server is a remote server (user access to server through modem) [Fig. 1]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janssen in view of

Mitcham as taught by Norris to have the server at a remote location to provide the information to kiosks from a centralized locations.

Regarding claim 29, Janssen does not teach server is a local server. However, Mitcham teaches server is a local server [Fig. 1]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janssen as taught by Mitcham to provide kiosk access at the central location where the server(s) are located.

Claims 6 – 10 and 16 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janssen US Patent 5,754,850 in view of Mitcham US Patent 5,537,315, and further in view of Norris US Patent 5,870,721 and Jongerius US Patent 6,563,529.

Regarding claims 6 and 16, Janssen in view of Mitcham and Norris does not teach a virtual home tour computer system that is coupled to the server and provides a virtual home tour, wherein the virtual home tour computer system is located in a virtual home tour area that is separate from the browsing and Internet access areas. However

applicant recites "Other agents have embraced technology and presented information on available properties, via the Internet. This information has, in some cases, included virtual tours of selected properties. However, these virtual home tours have required the downloading of computer files, (e.g., JPEG files) that contain information on a property of interest, to the potential buyer's computer system, which can be a lengthy process" [0006], and, "The virtual home unit 108 is utilized after a potential buyer selects a number of properties (e.g., using a real estate unit 102) in which they would like to interactively tour. When the potential buyer determines which properties they would like to view, they contact an agent to set up a time for viewing the selected videos. The agent contacts a technician who downloads (e.g., from server 112) the appropriate video files to virtual home tour unit 108 (i.e. the computer system of virtual home tour unit 108) and readies virtual home tour unit 108 for viewing of the video files at the appropriate time." (in applicant's invention a person has to download the video which is disclosed as known to one of ordinary skill in the art at the time of invention in [0006] of the application) [0021]. Jongerius teaches and method for virtual home tour [Fig. 1 – 6].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janssen in view of Mitcham and Norris as taught by Jongerius and provide a virtual home tour computer system help the user preview the property from a remote location.

Regarding claims 7 and 17, Janssen in view of Mitcham and Norris does not teach the virtual home tour includes interactive views of at least one real property that is for sale. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include interactive views to virtual tours to allow the user to go back and forth when previewing the images. Jongerius teaches system and method for virtual home tour with interactive views [col. 3, lines 51 – 56].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janssen in view of Mitcham and Norris as taught by Jongerius and provide interactive views of virtual tours to allow the user to go back and forth when previewing the images and help the user to make decisions.

Regarding claims 8 and 18, Janssen in view of Mitcham and Norris does not teach virtual home tour includes interior, exterior and grounds views of at least one home that is for sale. However, Jongerius teaches virtual home tour includes interior, exterior and grounds views of at least one home [Fig. 1 – 6].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Janssen in view of Mitcham and Norris as taught by Jongerius and provide virtual home tour which includes interior, exterior and grounds views of at least one home to help the user view the home style, inside layout of the home etc.

Regarding claims 9 and 19, Janssen in view of Mitcham and Norris does not teach Internet access, browsing and virtual home tour areas are separated by partition walls. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made that businesses have used partition walls to separate user areas to maintain user privacy. For example, interview booths at job fairs.

Regarding claims 10 and 20, Janssen teaches real estate computer system audibly provides at least a portion of the real property information [Fig. 1, 140].

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR '1.111 (c) to consider the references fully when responding to this office action.

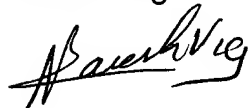
1. Helbling et al. US Patent 5,797,126
2. Chen et al. US Patent 6,195,694
3. Home Shopping At Your Fingertips! (Enhance Your Mail Kiosks With The Latest Technology)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is 703.305.3372. The examiner can normally be reached on M-F 7:30 - 5:00 (Alt Friday off).

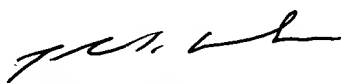
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703.308.2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Naresh Vig



June 22, 2004



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